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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,029	08/02/2000	Laszlo Arato	60705-1320	8405

7590 05/10/2004  
Thomas Kayden Horstemeyer & Risley LLP  
100 Galleria Parkway Suite 1750  
Atlanta, GA 30339

EXAMINER

AHN, SAM K

ART UNIT	PAPER NUMBER
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2634

5

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/632,029

Applicant(s)

ARATO ET AL.

Examiner

Sam K. Ahn

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 is/are allowed.
- 6) ☒ Claim(s) 2-12, 17-29, 31, 36 and 46-58 is/are rejected.
- 7) ☒ Claim(s) 1, 14-16, 30, 32-35 and 37-45 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the central office interface and plurality of DSL transceiver data transmission links, including all the elements recited in claims 30-58 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The abstract of the disclosure is objected to because it exceeds 150 words.  
Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

3. Claims 1-12, 14-18 and 30-47 are objected to because of the following informalities:  
  
In claims 1 and 30, line 4, respectively, delete "--- transmission;" and insert "--- transmission; and".  
  
In claims 2-12, 31-41 and 43-47, line 1, respectively, delete "The DSL ---", and insert "The multiple DSL ---".

In claim 3, line 2, delete "transceivers is ---" and insert "transceivers are ---".

In claims 7, 8, 36 and 37, line 6, delete "--- respectively.", and insert "--- , respectively."

In claims 14 and 43, lines 3 and 2, respectively, delete "--- a portion ---" and insert "said portion".

In claims 15, 16, 44 and 45, line 3, respectively, "--- the next nearest DSL transceivers." lack antecedent basis.

In claim 42, line 10, delete "downstream ---", and insert "upstream ---".

Claims 17 and 18 directly depend on claim 15 and 16.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-12, 17-29, 31, 36, and 46-58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 2 and 31, lines 3-4, respectively, recite "--- the first and second data interfaces interposed between an associated DSL transceiver and an associated set of DSL transceiver transmission links---". It is unclear as to what the associated set of DSL transceiver transmission links are referring to.

In claims 7 and 36, lines 4-5 and 5, respectively, recite "--- subsequent further removed DSL transceiver pairs ---". It is unclear and indefinite of which DSL transceivers are being referred to.

In claims 17, 18, 46 and 47, line 3, respectively, recite "--- between next nearest DSL transceivers." It is unclear and indefinite as to which DSL transceivers are in communication with.

In claims 19, 28, 29, 48, 57 and 58, line 3, respectively, recite "--- N DSL transceivers ---". The claim does not provide further explanation of "N".

In claim 19, line 4, further recites "--- at a remote location ---". It is unclear as to where the DSL transceivers are located to describe it as being located at a remote location.

Claims 3-6, 8-12, 20-27 and 49-56 directly or indirectly depend on claim 2, 19 or 48.

***Allowable Subject Matter***

5. Claim 13 is allowed.
6. Claims 1-12 and 14-58 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, and/or claim objections set forth in this Office action.
7. The following is a statement of reasons for the indication of allowable subject matter:  
Present application discloses a multiple DSL system comprising plurality of transceivers at both the central office side and at the customer premise where each

transceiver is connected to the other side via a DSL line. Furthermore, plurality of transceiver in one side, for example customer premise, are connected to each other and communicating through transmission links and provide the combined downstream or upstream dedicated for the customer interface. Closest prior art, McHale teaches plurality of transceivers in the customer premise. However, McHale does not teach where the system has plurality of transceivers communicating with each other through transmission links in order to provide adaptive rate of downstream or upstream for the customer premise. Therefore, prior art does not teach all the limitation claimed.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McHale et al. ('203 and '761) teach plurality of modems connected in parallel to a switch and further connected to the PSTN.

Itri teaches plurality of DSL transceivers sharing a common clock.

Chatter teaches two DSL lines configured to increase the bandwidth for one customer interface and to decrease the bandwidth of the other, and a controller communicating the two transceivers for changing the parameters of the modem.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Sam Ahn** whose telephone number is **(703) 305-0754**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Stephen Chin**, can be reached at **(703) 305-4714**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

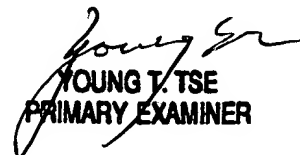
**or faxed to:**

**(703) 872-9306**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Sam K. Ahn  
4/30/04

  
**YOUNG T. TSE**  
**PRIMARY EXAMINER**